

Task Force on Commerce, Insurance and Economic Development Tentative Meeting Agenda

Annual Meeting 2016 | Indianapolis, Indiana
Friday, July 29, 2016
2:30 - 5:30 PM

2:30 PM

Call to Order

Welcome and Introductions

Subcommittee Reports

Business and Labor Regulations

Financial Services

Transportation and Infrastructure

New Member Introductions

Presentations and Model Policy

2:45 PM

Presentation: Third Party Investment in Litigation: From Hedge Fund Sponsored Class Actions to Billionaire Bankrolled Lawsuits against Gawker

3:05 PM

Presentation: The Workers' Compensation Option: Facts, Misconceptions and Possibilities

Model Policy Amendment Consideration: Statement of Principles on Workers' Compensation Reform

3:40 PM

Presentation: A State Strategy to Protect Public Employees' Free Speech Rights in the Wake of *Friedrichs v. California Teachers' Association*

Model Policy Consideration: Comprehensive Public Employee Freedom Act

4:00 PM

Presentation: An Oasis in the Small Dollar Credit Market Desert: A State Strategy to Meet Consumers' Needs

4:20 PM

Presentation: Reforming State Labor Laws for a Competitive Economic Climate; A Guide for Lawmakers

- 4:40 PM** Presentation: Eliminating Economic Friction Areas; Policies to Adopt and Avoid to Encourage Entrepreneurship
- 5:00 PM** Presentation: State Occupational Licensing Reform Update
Model Policy Consideration: Natural Hair Braiding Protection Act
- 5:20 PM** For the Good of the Order
- 5:30 PM** Adjournment

To access an electronic copy of these documents, please visit:
<http://www.alec.org/task-forces/commerce-insurance-and-economic-development/>

Commerce, Insurance and Economic Development Task Force Speaker Biographies

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Jason Turner
Executive Director
Secretaries' Innovation Group

Jason A. Turner is executive director of the Secretaries' Innovation Group, a network of 19 state human service secretaries from states representing 46 percent of the country. Between 1998 and 2002, Mr. Turner served as commissioner of New York City's Human Resources Administration under Mayor Giuliani. Between 1993 and 1997, he led the Wisconsin state team under Governor Tommy Thompson to develop a fully work-based alternative to welfare.

Sabrina L. Schaeffer
Executive Director
Independent Women's Forum

Sabrina L. Schaeffer is the executive director of the Independent Women's Forum. Sabrina has extensive experience in communications, from behind the scenes to in front of the camera. She has conducted sophisticated academic and applied research on persuasion, speech writing in the U.S. Senate, communications at a major non-profit, public relations at a D.C. consulting firm, and media relations in a primary campaign. During her time at American Enterprise Institute she served as a young assistant to Ambassador Jeane Kirkpatrick. Sabrina received an M.A. in Politics as well as an M.A. in American History from the University of Virginia. Sabrina is a regular on Forbes on Fox, and Fox Business' After the Bell.

Andrew Wynne
Workforce Freedom Initiative
U.S. Chamber of Commerce

Andrew is the Senior Director, State Legislative Affairs for the U.S. Chamber Institute for Legal Reform, Workforce Freedom Initiative at the U.S. Chamber of Commerce. He received his law Degree from Rutgers University School of Law – Camden.

AJ Donelson

**Co-founder
Advocom Group**

AJ is co-founder of the Advocom Group, which advises clients on opportunities and challenges which lie at the intersection of business, government and public relations. Since its start in 2011, Advocom Group has achieved success for its clients in Washington, at the state level and in international markets. AJ is an attorney, business leader and public affairs professional, who has built a reputation of trust and success over his 35 plus year career in Washington, D.C. Drawing on his business and legal training, he is an accomplished business manager for both large and small companies. He is an experienced government and public relations strategist, as well as an effective communications, public affairs and business consultant. He has advised clients on both domestic and international opportunities, including many of the most high-profile public policy issues over the past three decades. AJ is an attorney and member of the District of Columbia Bar. He received his law degree from the University of Florida and his undergraduate degree in political science from Johns Hopkins University.

Trey Gillespie

**Senior Workers Compensation Director
Property Casualty Insurers Association of America**

Trey Gillespie is a Senior Workers Compensation Director in the Policy Development and Research Department for Property & Casualty Insurers Association of America (PCI) with primary legislative and regulatory responsibility for 22 states. PCI is the nation's premier insurer trade association, representing over 1,000 companies that write 35 percent of the property casualty market including 34 percent of the private workers compensation market. Prior to joining PCI, Trey Gillespie was Staff Counsel and Litigation Director for Zenith Insurance Company in the Zenith Texas Regional Office. Prior to joining the Zenith Texas Regional Office management team, Trey Gillespie spent 25 years as a litigator in the private practice of law in Texas representing insurance companies and employers throughout the state. Trey Gillespie was board certified in Administrative Law by the Texas Board of Legal Specialization from 1994-2004. He received an AV rating from his peers in Martindale-Hubbell Legal Directory which represents the highest rating for legal skills and professional ethics. Trey Gillespie was a contributing editor to the Texas Workers' Compensation Manual from 1977-1994. He was also a contributing author to Texas Employment Law (Sterling Press). He has spoken and delivered scholarly legal papers at over 75 continuing education seminars including the State Bar of Texas Advanced Workers Compensation Seminar (2008) and State Bar of Texas Advanced Personal Injury Seminar (1996).

Rebecca Friedrichs

Rebecca Friedrichs has been an elementary school educator in Southern California for 28 years. Since the first day of her career in 1988, she's been concerned about the policies and politics of the teachers' union she's forced to financially support. From April 2013-June 2016 she was lead plaintiff in Friedrichs v. California Teachers Association, a seminal federal lawsuit to restore the First Amendment rights of free speech and free association to millions of public sector workers in the United States of America. A tie vote on eight-member Supreme Court halted the teachers' judicial fight for Liberty for all Americans, but Rebecca will continue to fight for the rights of public sector workers and the good of American children in our public schools.

Vinnie Vernuccio
Director of Labor Policy
Mackinac Center for Public Policy

F. Vincent Vernuccio is director of labor policy at the Mackinac Center for Public Policy. He is also a senior fellow at the Illinois Policy Institute. He is a graduate of the Ave Maria School of Law in Ann Arbor, Michigan. Under President George W. Bush he served as special assistant to the assistant secretary for administration and management in the Department of Labor. Vernuccio has published articles and op-eds in such newspapers and magazines as The Wall Street Journal, New York Times, Investor's Business Daily, The Washington Times, National Review, Forbes and The American Spectator. He has been cited in several books, and he is a frequent contributor on national television and radio shows, such as "Your World" with Neil Cavuto and Varney and Company. Vernuccio is a sought-after voice on labor panels nationally and in Washington, D.C. A regular guest on Fox News channels, Vernuccio has been described by Stuart Varney as a "top union watchdog." He has advised senators and congressmen on a multitude of labor-related issues. He testified before the United States House of Representatives Subcommittee on Federal Workforce, Postal Service and Labor Policy.

Dr. Tom Miller
Visiting Scholar
Mercatus Center

Thomas W. Miller, Jr., is a visiting scholar with the Mercatus Center at George Mason University, whose research project focuses on foreclosures for the Project for the Study of American Capitalism and a project on small dollar loans for the Financial Markets Working Group. Dr. Miller is a Professor of Finance and the inaugural holder of the Jack R. Lee Chair in Financial Institutions and Consumer Finance at Mississippi State University, and co-author of "Fundamentals of Investments: Valuation and Management" and "Derivatives: Valuation and Risk Management." He has held positions at Saint Louis University, Washington University in St. Louis, the University of Missouri, and has taught in Italy and France.

Glenn Spencer
Vice President, Workforce Freedom Initiative
U.S. Chamber of Commerce

Glenn Spencer is the vice president of the Workforce Freedom Initiative, a campaign of the U.S. Chamber of Commerce to preserve workplace democracy, prevent adoption of organized labor's anti-business agenda, and rein in abusive union pension fund activism. Before joining the Chamber in July 2007, Spencer spent nearly six years at the U.S. Department of Labor in the Office of the Secretary, serving as the deputy chief of staff and then chief of staff to Secretary of Labor Elaine L. Chao. Earlier in his career, Spencer was engaged in issue advocacy and grassroots lobbying for Citizens for a Sound Economy in Washington, D.C., and also worked as a senior analyst in the research departments of the National Republican Senatorial Committee and the Republican National Committee. Spencer's articles have been published in numerous leading newspapers, and he appears on nationally syndicated radio and television news programs. Spencer holds an M.A. in international affairs from The George Washington University.

Raymond Keating

Chief Economist

Small Business Entrepreneurship Council

Raymond J. Keating serves as chief economist with the Small Business & Entrepreneurship Council (SBE Council), a nonpartisan, nonprofit advocacy group dedicated to protecting small business and promoting entrepreneurship. He writes and speaks on a wide range of issues impacting the entrepreneurial sector of the economy. In addition to policy papers and reports, he pens the weekly SBE Council Cybercolumn, Fact of the Week, and Energy & Entrepreneurs analysis for SBE Council's website, and weighs in regularly on SBE Council's BusinessTrends Blog. Keating also writes a weekly column for Long Island Business News and Dolan Media Company. Previously, for more than 11 years, he wrote a column for Newsday on Long Island. In addition, Keating is an adjunct professor in the business school at Dowling College. Keating has written three books — U.S. by the Numbers: What's Left, Right, and Wrong with America State by State (2000), New York by the Numbers: State and City in Perpetual Crisis (1997), and D.C. by the Numbers: A State of Failure (1995). He currently is at work on two more books, and has contributed essays to four others. Keating has written hundreds of articles, with pieces published in such periodicals as The Washington Post, The Wall Street Journal, The New York Times, Boston Globe, National Review, Investor's Business Daily, Chicago Tribune, The Washington Times, New York Post, Daily News, and many more. He also is a contributing editor to FEE's free-market magazine The Freeman. His areas of expertise include taxation; federal, state and city budget issues; monetary policy; regulation; supply-side economics; the economics of sports stadiums and arenas; the U.S. economy; trade; and a host of other small-business issues. Keating holds an MA in economics from New York University, an MBA in banking and finance from Hofstra University, and a BS in business administration and economics from St. Joseph's College.

Lee McGrath

Legislative Counsel and Managing Attorney

Institute for Justice Minnesota Office

Lee McGrath is the Managing Attorney of the Institute for Justice Minnesota office and serves as IJ's Legislative Counsel. He joined the Institute in December 2004 and litigates cutting-edge constitutional cases protecting economic liberty, school choice, private property, freedom of speech and other individual liberties in both federal and state courts in Minnesota and nationally. Minnesota Lawyer recognized McGrath as one of 2006's Up and Coming Attorneys. Under his leadership, the Institute for Justice Minnesota has launched a successful campaign to restore economic liberty as a basic civil right under both the Minnesota State and U.S. Constitutions. IJ-MN successfully freed African hair braiders from the State of Minnesota's onerous cosmetology licensing regime, successfully stopped the government from enforcing a blanket ban on advertising, soliciting or using the Internet to conduct lawful, direct sales of wine, and forced the City of Red Wing to end its ban on interstate ship of trash. Lee was also instrumental in lobbying the Minnesota legislature to reform its eminent domain laws in 2006 and deregulate intrastate household goods movers in 2008. Lee became IJ's legislative counsel in 2011 and has been instrumental in lobbying for greater economic liberty and reforms to forfeiture laws in states across the country. Lee received his law degree from William Mitchell College of Law in Saint Paul where he was the president of the local Federalist Society chapter. Before that, Lee worked for more than 20 years in corporate finance at General Motors and other corporations. His last position was as Vice President and Treasurer of Jostens, the yearbook and ring company headquartered in Bloomington, Minn.

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Model Policy Summaries

New Model Policies for Task Force Consideration:

Statement of Principles on Workers' Compensation Reform

Government policy should encourage fair and sustainable workers' compensation laws that provide quality medical care and benefits to injured workers, and focus on workplace safety and successful return-to-work programs. In many states, injured workers are receiving inconsistent treatment that is not in-line with solid evidence-based medical guidelines and are, at times, becoming trapped in a system that discourages workers from returning to work in an expeditious manner. Innovative reform of workers' compensation laws is necessary to restore a system intended to protect workers and return them to the workforce in a fair and timely manner. Effective solutions must be directed at delivering quality recovery to injured workers, enabling workers to return to work quickly, and inherently controlling key cost drivers. To ensure speedy and meaningful return to work, employees unable to perform preinjury jobs need access to temporary alternate work with the same employer, reemployment assistance when viable work options don't exist with their employer, and vocational rehabilitation only when substantiated and reasonable necessity can be shown. Because of the variance of state workers' compensation laws, there is no one-size-fits-all solution; thus, ALEC has opted to develop this Statement of Principles to identify major areas of concern and offer guidelines for reform. Many of the primary needs for reform can be categorized into four areas: Appropriate Medical Care, Agency Red Tape, Unnecessary Litigation, and Court Interpretations of the Law.

Friedrichs Public Employee Freedom Act

ALEC's model Friedrichs Public Employee Freedom Act provides that public employees have a First Amendment right to refrain from financially supporting government labor organizations. No employee should be forced join, pay dues to or accept representation from a labor organization as a condition of employment. Public employees and any unions they may designate to represent them are excluded from National Labor Relations Act (NLRA), and are instead subject to state and local laws governing collective bargaining. Many of these laws, like the NLRA, are "monopoly bargaining laws," meaning that even in states with right-to-work legislation—which bars payment of dues or fees as a condition of employment—employees are still forced to accept a union as their sole representative in the workplace. Similarly, unions are required to represent employees who do not wish to be represented. Employees do not have the right to negotiate their own contract or adjust their own grievances, or secure their own representation in disciplinary hearings with their employer. It further provides the public employees right to opt-out of union representation and represent themselves, as well as

allowing unions to forego representation of non-dues or fee payers. It does not change the rubric of collective bargaining in any other way except that, under the act, a worker has the choice to either remain in a union that has achieved majority consent from the employees in the unit, or to fully and independently represent themselves. Note: this policy combines portions of ALEC's Right-to-Work Act with ALEC's Public Employee Choice Act and applies only to public sector employees. Existing right-to-work states with monopoly public sector collective bargaining should only enact the Public Employee Choice Act. It is also recommended that a state without right-to-work for private sector employees enact ALEC's full Right-to-Work act in conjunction with this model policy

Natural Hair Braiding Protection Act

Natural hair braiding is a traditional practice that is safe. This policy would exempt natural hair braiders from all occupational licensing requirements.